

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RECEIVED  
SDNY PLO SCOTLAND  
2018 JAN 16 PM 12:39  
S.D. OF N.Y.

Eric Keaton

Write the full name of each plaintiff.

16 CV 05783

(Include case number if one has been assigned)

**SECOND AMENDED  
COMPLAINT**

(Prisoner)

Do you want a jury trial?

☐ Yes ☒ No

-against-

RICARDO MANTALLO TERRANCE  
WILLIAMS, U.C. OFFICER 254,  
JONATHAN CEDENO, SGT MARKU,  
CHRISTOPHER SCHREIBER,

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: \_\_\_\_\_

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☒ Other: state statutes, Constitution, Civil Rights, Human Rights

## II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

<u>Eric</u>		<u>Keaton</u>
First Name	Middle Initial	Last Name

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

2140 Daly Ave Bronx N.Y. Apt 2C 10460  
Current Place of Detention

Institutional Address

County, City	State	Zip Code
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## III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

- ☐ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☐ Convicted and sentenced prisoner  
☒ Other: \_\_\_\_\_

#### IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:	<u>RICARDO</u>	<u>MANTILLA</u>	<u>00523, 942113</u>
	First Name	Last Name	Shield #
	<u>Special Narcotics officer N.Y.C.</u>		
	Current Job Title (or other identifying information)		
	<u>Manhattan</u>		
	County, City	<u>N.Y.</u>	<u>10038</u>
		State	Zip Code
Defendant 2:	<u>TERRANCE</u>	<u>WILLIAMS</u>	<u>5134</u>
	First Name	Last Name	Shield #
	<u>Special Narcotics officer N.Y.C.</u>		
	Current Job Title (or other identifying information)		
	<u>ONE Police Plaza New York N.Y.</u>		
	Current Work Address		
	<u>Manhattan</u>	<u>N.Y.</u>	<u>10038</u>
	County, City	State	Zip Code
Defendant 3:	<u>UNDERCOVER OFFICER</u>		<u>254</u>
	First Name	Last Name	Shield #
	<u>Special Narcotics officer N.Y.C.</u>		
	Current Job Title (or other identifying information)		
	<u>ONE Police Plaza New York N.Y.</u>		
	Current Work Address		
	<u>Manhattan</u>	<u>N.Y.</u>	<u>10038</u>
	County, City	State	Zip Code
Defendant 4:	<u>JONATHAN</u>	<u>CEDEÑO</u>	<u>89021948469</u>
	First Name	Last Name	Shield #
	<u>Special Narcotics officer N.Y.</u>		
	Current Job Title (or other identifying information)		
	<u>ONE Police Plaza New York N.Y.</u>		
	Current Work Address		
	<u>Manhattan</u>	<u>N.Y.</u>	<u>10038</u>
	County, City	State	Zip Code

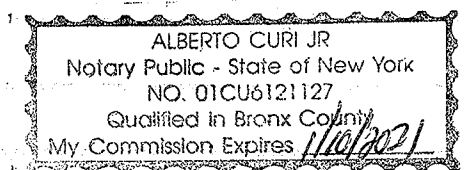
Defendants MARKU VISAR 982126 5134  
Special Narcotics Officer N.Y.C.  
Manhattan N.Y. ONE Police Plaza 10038

Defendant 6 CHRISTOPHER SCHREIBER 361646  
Manhattan N.Y. ONE POLICE PLAZA N.Y.C. 10038

Eric Keaton, being duly sworn deposes and say this is  
the facts stated herein upon personal knowledge and  
information. See Attachment 1-16

Respectfully Submitted  
All Rights Reserved  
Eric Keaton

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 15 DAY OF JANUARY, 2018  
BY ALBERTO CURI JR.  
*[Signature]*  
NOTARY PUBLIC



## V. STATEMENT OF CLAIM

Place(s) of occurrence: North West Corner 41st & Ave City of N.Y.

Date(s) of occurrence: January 12, 2016

## FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

While Plaintiff casually standing on the corner of 42nd & Ave conversing with another individual HUBERT CARY, about some money of to me from that individual. We spoke for 10 or more minutes, then he left me and turned in the downtown direction, and I proceeded in to the port authority, where I was stopped by officer JONATHAN CEDENO, who detain me then took me to 41st Ave, where he arrest me without warrant and probable cause for a crime I never committed. The defendant JONATHAN CEDENO, unreasonable search and seized me without authority of law. The fourth and fourteenth Amendments to the constitution protect persons from unreasonable searches and seizures. State constitution offer similar protection. Terry v. Ohio, 392 U.S. 1. A search is not constitutionally permitted without a warrant or as incident of arrest. The intrusion permitted where the justification is only reasonable suspicion is a limited one of patting down clothing to detect a weapon. C.P. 140.50, Authority provided by this article for making an arrest without warrant, a police officer may stop a person in a public place located within the geographical area of such officer

See Attach



employment when he reasonably suspect that such person is committing, has committed or is about to commit, a felony or misdemeanor.

When upon stopping a person under these circumstances in the above subdivision a police officer as the case may be, reasonably suspect that he is in danger of physical injury, he may search a person for a deadly weapon or any instrument, article or substance readily carried in a public places by law-abiding persons. (Other wise a warrant must be subscribed by the issuing judge and must state or contain the name of the issuing court, and the date of issuance of the warrant etc. The existence or lack of probable cause is measured as of the time the judicial proceeding is commenced e.g. the time of arraignment, not the time of the proceeding warrantless arrest. No such warrant exist in the instant matter, therefore the seizure was Constitutional. No court can confer Jurisdiction.

The issue of whether probable cause to search exist must be determined on the basis of independent judgement of a detached magistrate; it must be based on an affidavit, in support of a request for a search and seizure of arrest warrant.

Officers RICARDO MANTILLA, TERRANCE WILLIAMS, JONATHAN CEDENO, MARKU NISAR, CHRISTOPHER SCHREIBER, UNDER COVER OFFICER 254, The affiant's never swore to any of the acts allegations in the complaint nor does the word deponent appear in the complaint (affidavit is lacking in the complaint) Nowhere

is there any deposition of the officers, RICARDO MANTILLA, TERRANCE WILLIAMS, U.C. OFFICER 254, JONATHAN CEDENO, MARKU VISAR, or CHRISTOPHER SCHREIBER, where they swore to the facts of the complaint. Violating 148, 150, 145, The Jurat is lacking.

The provision of section 148 and section 150 subdivision 2 of the Code of Criminal Procedure, pertaining to the examination of the prosecutor and his witness on an information and issuance of a warrant of arrest thereon, are Jurisdictional and must be complied with in entirety before the magistrate may properly issue a warrant. The provisions of New York, Code of Criminal Procedure are jurisdictional and a magistrate, must comply therewith in entirety. (Civil Rights violation) 4, 19, Amendments violation United States and State like.

Furthermore: These defendants, violated Penal Code 175.35, 175.30, 175.40, 210.00, 05, 10, 15, 20, 30, 35, 40, 45, 50, of Penal Code

Pending Related offenses: The following definitions are applicable to 210.00 P.L. <sup>1</sup> Oath, includes an affirmation and every other made authorized by law of attesting to the truth of that which is stated. <sup>2</sup> Swear, means to state under oath. <sup>3</sup> Testimony, means oral statement made under oath in a proceeding before any court, body agency public servant or other person authorized by law to conduct such proceeding and to administer the oath or cause it to be administered. <sup>4</sup> Oath, "required by law." An affidavit, deposition or other subscribed written instrument is one for which an oath is

required by law' when, absent an oath or swearing thereto, it does not or would not, according to statute or appropriate regulatory provision, have legal efficacy in a court of law or before any government body, or agency to whom it might be submitted. <sup>#5</sup> "Swear falsely." A person "swears falsely" when he intentionally makes a false statement which he does not believe to be true while giving testimony, or under oath in a subscribed written instrument. A false swearing in a subscribed written instrument shall not be deemed complete until the instrument is delivered by its subscriber. As was here, defendants, RICARDO MANTILLA, TERRANCE WILLIAMS, U.C. OFFICERS 254, JONATHAN CEDENO, SGT. MARKU VISAR, CHRISTOPHER SCHREIBER, violated P.L. 210.00 in its entirety 210.45 P.L. False statements, fake complaint

"There was no attesting officer" of whom any of the defendants testified before under the authority of law, or was there any notary public or person authorized by law to administer oaths in connection with a affidavit or depositions or other subscribed written instrument to certify that the subscribers of such instrument appear before him and sworn to the truth of the contents. "The Jurat is lacking in the Complaint. Violating 19060, 19065 2020, 2025, 175.40 175.00.

Defendants  
~~is~~ is guilty of issuing a false Certificate when being a public servant authorized by law to make or issue official certificates or other official written instruments, and with intent to defraud, deceive or injure ~~person~~ <sup>person</sup> person, 175.40 All the defendants A like are liable, Negligence Pro Se.



These defendants & like violated The Magnuson-Moss Warrant

1343: Civil Rights: To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a Citizen of the UNITED STATES, by any act done in furtherance of any conspiracy in 42 USCS 1985

(a) 3 To redress the deprivation under the color of any state law, statute, ordinance, regulation, custom or usage of any right, privilege or immunity secured by the Constitution of the UNITED STATES or by any act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the UNITED STATES. In Relation with 42 USCS 1981

1346: FTCA, Passed in 1946, Confer exclusive jurisdiction on UNITED STATES District Courts to hear claims against the UNITED STATES, for money damages accruing on and after January 1, 1945 for injury or loss of property, or personal injury or death, cause by the negligent or wrongful act or omission of any employee of the government while acting within the scope of his office or employment. (THE UNITED STATES is liable to Plaintiff Eric Keaton, for the acts and omissions of its employees.) UNITED STATES are defendants

Supremacy Clause, Preemption: a judicial doctrine asserting the Supremacy of federal legislation over state legislation of the same subject matter, it rest upon the Supremacy clause of the federal Constitution.

Article VI section 2 of the United States Constitution, which is the main foundation of the government's power over the state, providing in effect that the acts of the federal Government are operative as Supreme law throughout the UNION. They are self-executing, since they prescribe rules enforceable in all courts of the land. The full import of the Supremacy clause was made clear after John Marshall, became Chief Justice. In the Marshall interpretation, the clause meant essentially two things (1) the states may not interfere in any manner with the functioning of the federal Government; (2) the federal action (Whether in the form of a statute, a treaty, a court decision, or an administrative act), if itself Constitutionally, must prevail over state action inconsistent therewith.

Plaintiff Eric Keaton, Ask this Justice for injunction to recall a Judgement reversing or vacating the state decision as matter of fact and law

This is a civil action authorize by 42 USC Section 1983 to redress the deprivation under the Color of State law, statute, ordinance, regulation, custom or usage, of any right secured by the Constitution of the United States. This court has Jurisdiction under 28 U.S.C. 1331, 1343, 1346, 1334, and 1335 Plaintiff Eric Keaton, Claim for injunctive relief is authorized by 28 U.S.C. Section 2283 and 2284 and rule 65 of the Federal Rules of Civil Procedure. The Southern District of New York is an appropriate venue under 28 U.S.C. Section 1391(b)(2) because it is where events giving rise to this claim occurred.

TO BE USED IN MANHATTAN AND STATEN ISLAND ONLY

1	A. FIELD TEST RESULTS: <input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative		B. Voucher No. 1000746705	
C. LIST ALL PRISONERS:				
	Last Name	First Name	Date of Arrest	Date of Birth
(1)	COUCHON	MICHAEL	01/12/2016	06/01/1955
(2)	KEATON	ERIC	01/12/2016	12/29/1972
(3)	CARY	HUBERT	01/12/2016	05/24/1970
(4)	N/A	N/A	N/A	N/A
(5)	N/A	N/A	N/A	N/A
(6)	N/A	N/A	N/A	N/A
D. Were there any other narcotics seized or purchased that are associated with this voucher number? If yes, list all companion narcotics voucher numbers or write N/A if there are none.				
	N/A	N/A	N/A	
	N/A	N/A	N/A	
2	A. Testing Officers Name Printed (If Undercover - List Shield Number in Lieu of Name)		B. Command	C. Tax No.
	PO CEDENO		NBMS	948469
	E. Arresting Officers Last Name (Print)		First Name	Command
	S/A/A			
	<input checked="" type="checkbox"/> Check Here If Same As Testing Officer			
3	Contents in This Envelope Was Purchased By An Undercover: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
4	Contents in This Envelope Is Narcotics Recovered Other Than That Purchased By An Undercover: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5	A. Drug Type/Field Test		B. Quantity Vouchered and Type of Container: (Number and Description)	
	<input type="checkbox"/> Heroin/Meckes Reagent		1 CLEAR ZIP LOCK BAG OF CRACK COCAINE (FIELD TEST POSITIVE)	
	<input checked="" type="checkbox"/> Cocaine/Cocaine Salts and Base Reagent		9 CLEAR ZIP LOCK BAGS OF CRACK COCAINE (ALLEGED)	
	<input type="checkbox"/> Marijuana/Duquenois - Levine Reagent		C. Date Field Test Conducted	
			01/12/16	
			D. Estimated total weight of narcotics vouchered greater than 1/8 oz.	
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6	A. Contents in This Envelope Was Seized During The Execution Of a Search Warrant: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
7	<b>CERTIFICATION</b> - I hereby certify that I tested the above described substance(s) and that this report is a true and full copy of the original report made by me. False statements made herein are punishable as a class A misdemeanor pursuant to § 210.45 of the Penal Law.			
	Testing Officers Signature: _____		Date 01/12/16	
	(If Undercover - Personally Sign Shield Number in Lieu Of Name)			
8	Supervisor Assuring Accuracy in the Preparation of this Field Test Report:			
	SGT	MARKU	942126	NBMS
	Rank	Name (printed)	Signature	Command

Dist: 1. White District Attorney's Office 2. Blue District Attorney's Office 3. Pink Police Laboratory With Vouchered Drugs  
 4. Buff = Member's Copy 5. Green Command Copy

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

FELONY

1. Michael Couchon (M 60),
2. Eric Keaton (M 43),
3. Hubert Cary (M 45),

ADA Erik Aho  
212-815-0149

Defendants.

Police Officer Jonathan Cedenio, Shield 8902 of the Narcotics Borough Manhattan South, states as follows:

The defendants are charged with:

1 PL 220.16(1)

Criminal Possession of a Controlled Substance in the Third Degree

(defendant #1: 1 count)

(defendant #2: 1 count)

(defendant #3: 1 count)

2 PL 220.39(1)

Criminal Sale of a Controlled Substance in the Third Degree

(defendant #1: 1 count)

(defendant #2: 1 count)

(defendant #3: 1 count)

On or about January 12, 2016 at about 5:05 P.M., at the north west corner of 8th Avenue & West 41st Street in the County and State of New York, the defendants knowingly and unlawfully possessed a narcotic drug with intent to sell it; the defendants knowingly and unlawfully sold a narcotic drug.

The factual basis for these charges are as follows:

I am informed by Undercover Police Officer 254 of Narcotics Borough Manhattan South ("UC") that he/she purchased a quantity of cocaine from defendants MICHAEL COUCHON, ERIC KEATON, and CARY HUBERT as follows:

On January 12, 2016, UC approached HUBERT and engaged him in a narcotics related conversation. HUBERT walked UC to the location of COUCHON and KEATON. UC, HUBERT, COUCHON, and KEATON engaged in a narcotics related conversation. KEATON told HUBERT and COUCHON to sell drugs to UC.

UC, HUBERT, COUCHON, and KEATON walked south on 8th Avenue. KEATON informed UC to give money to COUCHON. UC handed a sum of United States Currency to COUCHON.

A short time later COUCHON handed six (6) zips of cocaine to HUBERT.

2770471



NEWS

Fax: 212-395-6125

Jan 13 2016 02:18pm, P002/002, J.L.

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CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

1. Michael Couchon (M 60),
2. Eric Keaton (M 43),
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Defendants.

FELONY

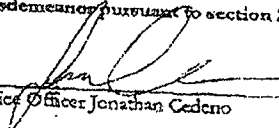
ADA Enk Abo  
212-815-0149

HUBERT handed UC six (6) zips of cocaine. COUCHON handed UC four (4) zips of cocaine. The U/C observed one of the zips fall from COUCHON's hand to the ground below him. The U/C picked it up from the ground.

I am informed by Detective Ricardo Mantilla, Shield 00523 of Narcotics Borough Manhattan South, that he recovered a quantity of Pre-Recorded Buy Money from KEATON. I am informed by Officer Terrance Williams, Shield 5134 of Narcotics Borough Manhattan South, that he recovered Ten (10) zips of cocaine from COUCHON.

I believe the substance is what it is alleged to be based upon: my professional training as a police officer in the identification of drugs, my prior experience as a police officer making drug arrests, an observation of the packaging, which is characteristic of this type of drug and field tests of the substance which confirmed that the substance is in fact what it is alleged to be.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

  
Police Officer Jonathan Cedeno

Date

Time

1/13/15 1335

2770471

## LABORATORY REPORT



NEW YORK CITY POLICE DEPARTMENT  
POLICE LABORATORY  
CONTROLLED SUBSTANCE ANALYSIS SECTION

LABORATORY # 2016-004292  
LABORATORY REPORT # 1  
COMPLAINT #  
VOUCHER # 1000746705

VOUCHERED BY: DT3 RICARDO MANTILLA Tax#:942118 Command:  
NARC BORO MS  
PCT. OF VOUCHER: 014 Precinct  
DEFENDANT(S): ERIC KEATON AGE: 43  
HUBERT CARY AGE: 45  
MICHAEL COUCHON AGE: 60

DATE SUBMITTED: 01/14/2016  
DATE ASSIGNED: 01/14/2016  
DATE PREPARED: 01/14/2016

TYPE OF ANALYSIS: CONTROLLED SUBSTANCE ANALYSIS



EVIDENCE PRESENT AS ITEMIZED ON VOUCHER: ☒ YES ☐ NO (SEE REMARKS)

## RESULTS OF EXAMINATION/ANALYSIS

Item #	Qty.	Description	Results	Weight
1	1	Ziplock bag(s) cont. solid material	Cocaine	0.018 g (aggregate wt.)
2A	1	Ziplock bag(s) cont. solid material	Cocaine	0.089 g (aggregate wt.)
2B	8	Ziplock bag(s) cont. solid material	No Analysis	0.712 g (projected aggregate wt.)

## SUMMARY OF ANALYSIS

Substance Identified	Item #	Weight
Cocaine	1, 2A	0.107 g (aggregate wt.)

## REMARKS

1/6 oz = 3.544 g 1/2 oz = 14.175 g 1 oz = 28.349 g 2 oz = 56.698 g 4 oz = 113.396 g 8 oz = 226.792 g 16 oz = 453.584 g = 1 lb 4535.84 g = 10 lbs

## TESTING METHODOLOGY

Unit/Item #	Item #	Methods Used
1	1	Color Test, GC/MS
2.1	2A	Color Test, GC/MS

THIS REPORT DOES NOT CONSTITUTE THE ENTIRE CASE FILE. THE CASE FILE MAY BE COMPRISED OF WORKSHEETS, IMAGES, ANALYTICAL DATA AND OTHER DOCUMENTS.

THE DEFINITIONS OF TERMS USED IN THIS REPORT CAN BE LOCATED AT THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES WEBSITE:  
[HTTP://WWW.CRIMINALJUSTICE.NY.GOV/FORENSIC/LABREPORTSTANDARDS.HTM](http://www.criminaljustice.ny.gov/forensic/labreportstandards.htm)

THE RESULTS ARE THE OPINIONS / INTERPRETATIONS / CONCLUSIONS OF THE UNDERSIGNED.  
I HEREBY CERTIFY THAT I TESTED/EXAMINED/ANALYZED THE ABOVE DESCRIBED ITEM(S) AND THAT THIS REPORT IS AN ORIGINAL REPORT MADE BY ME. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

CRIM 1B  
RANK/TITLE

Christopher Schreiber  
ANALYST NAME

ANALYST SIGNATURE

381646  
TAX #

01/14/2016  
DATE PREPARED

01/15/2016  
DATE ISSUED

3-12-2016

I Hubert Cary

swear that I owed Eric Keaton

Some money. I had a white guy That I was with  
That asked me to get some ~~for~~ crack in order

To smoke with me, I took him to another guy I told him

They were 20 when they were really 110. This gave

me extra money I told the dealer not to give

me the change instead pay my debt to Eric Keaton

Who had nothing to do with this sale ON 1-26-20

The Police tried to get me to implicate

Eric Keaton and have constantly forced me to set  
people up with offer of a free ride and money

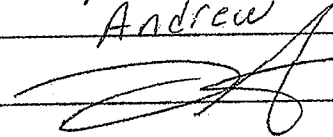
Address 2027 Lexington Ave New York, N.Y. 10035

Telephone 212 996.8363 AIC NYSID.T8308911

DOB 5.24.70

Sworn to on this  
day March 12, 2016H Hubert Cary  
Hubert Cary

witness

Tramain  
Andrew

#### INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

As result of this tortious act Plaintiff Eric Keaton, Severly suffers from insomnia, nightmares and paranoid of being subjected to these defendants, or any other N.Y.C. Police officers. Plaintiff Keaton continues to under go episodes of headaches auditory hallucinations, paranoid of police, Need to rebuild my self emotionally, im distorted mentally anguished Shamed humiliate

#### VI. RELIEF

State briefly what money damages or other relief you want the court to order.

Plaintiff Keaton, seeks pain and suffering damages from each defendant in their individual and official capacity in the amount of 300,000. Plaintiff Keaton, also seeks emotional stress and mental anguish damages from each defendant in their individual capacity in the amount of 300,000. Finally Plaintiff Keaton seeks punitive damages in their individual official capacity, in the amount of 1,000,000, for a subtotal of 9.6 million Dollars. An injunction relief so that no reprisal and or false or unreasonable search and seizure or arrest or any tortious acts be made in the future by Defendants Midtown South Pct, Narcotics Division as the result of this complaint.



**VII. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>1/15/18</u>		<u>Eric Keaton</u> <u>All Rights Reserved</u>	
Dated		Plaintiff's Signature	<u>Eric Keaton</u>
<u>Eric</u>		<u>Keaton</u>	
First Name	Middle Initial	Last Name	
<u>2140</u>	<u>Daly AVE</u>	<u>APT 2C</u>	
Prison Address			
<u>Bronx</u>	<u>N.Y.</u>	<u>10460</u>	
County, City	State	Zip Code	

Date on which I am delivering this complaint to prison authorities for mailing: \_\_\_\_\_